

BEFORE THE WEST VIRGINIA BOARD OF MEDICINE

IN RE: ANGELA DUMITRACHE, M.D.

CONSENT ORDER

The West Virginia Board of Medicine (“Board”) and Angela Dumitrache, M.D., (“Dr. Dumitrache”) freely and voluntarily enter into the following Consent Order pursuant to West Virginia Code §30-3-1, et seq.:

FINDINGS OF FACT

1. ANGELA DUMITRACHE, M.D. holds a license to practice medicine and surgery in the State of West Virginia, License No. 21360, issued originally in 2003, and her address of record with the Board is in Frederick, Maryland.

2. In March, 2005, the Complaint Committee of the Board initiated a complaint against Dr. Dumitrache, based upon her false representation regarding compliance with the continuing medical education requirement for licensure renewal.

3. In Dr. Dumitrache’s licensure renewal application for the period July 1, 2004 to June 30, 2006, submitted to the Board and dated May 24, 2004, Dr. Dumitrache represented that she had completed the required number of fifty (50) hours of continuing medical education for the preceding licensure period of July 1, 2002 to June 30, 2004, including two (2) hours of continuing education coursework in the subject of end-of-life care including pain management.

4. In fact, Dr. Dumitrache had failed to obtain the required number of hours which hours included two (2) hours of continuing education coursework in the

subject of end-of-life care including pain management by June 30, 2004, rendering her representation a violation of W.Va. Code §30-3-14 (c)(1) and (17), 11 CSR 1A 12.1 (a) and 11 CSR 6 4.2 and 4.4, renewing a license to practice medicine and surgery by fraudulent misrepresentation and making a false statement in connection with a licensure application.

5. As a result of her failure to complete the required number of hours of continuing medical education for the registration period ending June 30, 2004, and her failure to make an accurate report of her continuing medical education in her licensure renewal application for the period July 1, 2004, to June 30, 2006, it could be detrimental to the public interest and the health and welfare of patients for Dr. Dumitrache to continue to hold a medical license in the State of West Virginia.

CONCLUSIONS OF LAW

1. The Board has a mandate pursuant to West Virginia Code §30-3-1 to protect the public interest.

2. Probable cause may exist to substantiate charges of disqualification from the practice of medicine pursuant to the provisions of West Virginia Code §30-3-14(c)(1) and (17), 11 CSR 1A 12.1(a), and 11 CSR 6 4.2 and 4.4, renewing a license to practice medicine and surgery by fraudulent misrepresentation and making a false statement in connection with a licensure application.

3. As a result of her failure to complete the required number of hours of continuing medical education for the registration period ending June 30, 2004, and her failure to make an accurate report of her continuing medical education in her licensure renewal application for the period July 1, 2004, to June 30, 2006, it is appropriate to suspend the license to practice medicine and surgery in the State of West Virginia

heretofore issued to Dr. Dumitrache, as her continued licensure does not foster a professional environment that encourages the delivery of quality medical services within West Virginia, as specified in West Virginia Code §30-3-2.

4. It is appropriate to waive the commencement of proceedings against Dr. Dumitrache and to proceed without the filing of formal charges in a Complaint and Notice of Hearing, provided she complies with the terms and conditions set forth herein.

CONSENT

ANGELA DUMITRACHE, M.D., by affixing her signature hereon, agrees solely and exclusively for purposes of this agreement and the entry of the Order provided for and stated herein, and proceedings conducted in accordance with this Order, to the following:

1. Dr. Dumitrache acknowledges that she is fully aware that, without her consent, here given, no permanent legal action may be taken against her except after a hearing held in accordance with West Virginia Code §30-3-14(h) and West Virginia Code §29A-5-1, *et seq.*;

2. Dr. Dumitrache acknowledges that she has the following rights, among others: the right to a formal hearing before the West Virginia Board of Medicine, the right to reasonable notice of said hearing, the right to be represented by counsel at her own expense, and the right to cross-examine witnesses against her;

3. Dr. Dumitrache waives all rights to such a hearing;

4. Dr. Dumitrache consents to the entry of this Order relative to her practice of medicine and surgery in the State of West Virginia; and,

5. Dr. Dumitrache understands that this Order is considered public information, and that matters contained herein may be reported, as required by law, to the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank.

ORDER

WHEREFORE, on the basis of the foregoing Findings of Fact and Conclusions of Law of the Board, and on the basis of the consent of Dr. Dumitrache, the West Virginia Board of Medicine hereby **ORDERS** as follows:

1. The license to practice medicine in the State of West Virginia heretofore issued to ANGELA DUMITRACHE, M.D. License No. 21360, is **SUSPENDED**, effective at 12:01 a.m. on July 12, 2005, which **SUSPENSION** is hereby **STAYED IMMEDIATELY**, pending Dr. Dumitrache's compliance with all terms and conditions set forth in this Order.

2. Dr. Dumitrache shall, on or before December 12, 2005, report and document to the Board her completion of the two (2) remaining hours in end-of-life care, including pain management, to meet the fifty (50) hours required for the renewal period July 1, 2002, to June 30, 2004, which hours shall be applied to the referenced renewal period of July 1, 2002 through June 30, 2004, only, and shall not be applicable or transferable to any subsequent renewal period.

3. On or before July 11, 2005, Dr. Dumitrache shall pay to the Board a fine of \$100.00 per credit hour of her deficiency of two (2) hours for the renewal period July 1, 2002, to June 30, 2004, a total of \$200.00 Dollars, the receipt of which fine is acknowledged by the signatures hereon of the President and Secretary of the Board.

4. Upon the Board's determination that Dr. Dumitrache is in full compliance with all terms and conditions of this Order, the **SUSPENSION** shall be **DISSOLVED** immediately.

5. Upon the Board's determination that Dr. Dumitrache has failed to comply with all terms and conditions of this Order on or before December 12, 2005, the **STAY** shall be **DISSOLVED** immediately, without further notice or process, and the **SUSPENSION** shall remain in full force and effect.

The foregoing "Consent Order" of ANGELA DUMITRACHE, M.D.,

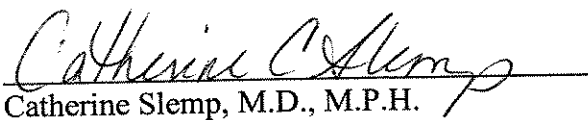
was:

Entered this 11th day of July, 2005.

WEST VIRGINIA BOARD OF MEDICINE



Angelo N. Georges, M.D.
President



Catherine Slemp, M.D., M.P.H.
Secretary

A. Dumitrache MD
ANGELA DUMITRACHE, M.D.

Date: 7/11/05

STATE OF West Virginia

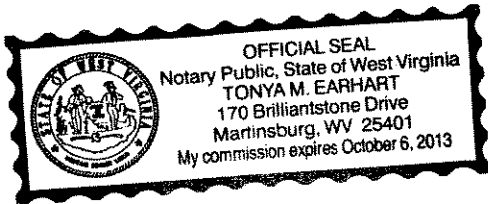
COUNTY OF Berkeley

I, Tonya Earhart, a Notary Public for said county and

state do hereby certify that ANGELA DUMITRACHE, M.D., whose name is signed on the previous page has this day acknowledged the same before me.

Given under my hand this 1st day of July, 2005.

My commission expires October 6, 2013.



Tonya M Earhart
Notary Public



Curtis Arnold, DPM
North Charleston

v. Richard Bowyer
Fairmont

s. Doris M. Griffin
Martinsburg

. Khalid Hasan, MD
Martinsburg

David Lynch, Jr., MD
Martinsburg

Vettivelu Maheswaran, MD
Charles Town

Leonard Simmons, DPM
Fairmont

Lee Elliott Smith, MD
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South Charleston

State of West Virginia

West Virginia Board of Medicine

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July 13, 2005

Angela Dumitrache, M.D.
1748 Dearbought Drive
Frederick, MD 21701

Dear Dr. Dumitrache:

We are in receipt of your documentation of the two (2) remaining hours of continuing medical education, as referenced in the July, 2005, CONSENT ORDER that you entered into with the Board. Consequently, you are in compliance with all terms and conditions of this Order, and the stayed suspension of your medical license is dissolved, and your license is unencumbered as of July 13, 2005.

Please note that the continuing medical education submitted shall not be applicable or transferable to the July 1, 2004, through June 30, 2006, renewal period or any subsequent renewal period.

In accordance with the statute, the Consent Order will remain a permanent part of your historical record maintained by the Board. A copy of this letter will be attached to the Consent Order and will remain a part of the Consent Order.

Thank you for your cooperation and patience throughout this process and continued best wishes for success.

Sincerely,

Ronald D. Walton

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RESIDENT
Angelo N. Georges, MD
Martinsburg

VICE PRESIDENT
Carmen R. Rexrode, MD
Martinsburg

SECRETARY
Catherine Siemp, MD, MPH
Charleston

COUNSEL
Deborah Lewis Rodecker
Charleston

EXECUTIVE DIRECTOR
Ronald D. Walton
Charleston